

ARTICLE X. ENFORCEMENT

Sec. 7-301. Penalty.

Any person, firm or corporation, whether as principal, agent, employer or otherwise, violating or causing the violation of any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment in the county jail or by both such fine and imprisonment. Such person, firm or corporation shall be deemed to be guilty of a separate offense for each and every day during any portion of which any violation of this chapter is committed or continued by such person, firm or corporation and shall be punishable as herein provided. (Ord. No. 754, § 6, 11-12-86; Ord. No. 838, § 6, 1-8-91)

Sec. 7-302. Abatement of nuisances.

Any building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this chapter and of any land, building or premises established, conducted, operated or maintained contrary to the provisions of this chapter shall be and the same is hereby declared to be unlawful and a public nuisance; and the city attorney shall, upon order of the city manager, immediately commence action or proceedings for the abatement and removal and injunction thereof in the manner provided by law, and shall take such steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate and remove such building or structure and restrain and enjoin any person, firm or corporation from setting up, erecting, building, maintaining or using any such building, or using any premises contrary to the provisions of this article. (Ord. No. 754, § 6, 11-12-86; Ord. No. 838, § 6, 1-8-91)

Sec. 7-303. Remedies cumulative.

The remedies provided for herein shall be cumulative and not exclusive. (Ord. No. 754, § 6, 11-12-86; Ord. No. 838, § 6, 1-8-91)

7-304—7-400. Reserved.

ARTICLE XI. PROPERTY MAINTENANCE AND ABATEMENT OF PROPERTY NUISANCES*

Sec. 7-401. Classification of nuisances.

The following acts and conditions, when performed or existing upon any lot, piece or parcel of land within the City of Belmont, are hereby defined as and declared to be public nuisances when of such magnitude as to be injurious or potentially injurious to the public health, safety and welfare or which have a tendency to degrade the appearance and property values of surrounding property or which cause damage to public rights-of-way:

(1) *Property:*

- a. Land where erosion, subsidence, or surface water drainage problems exist.
- b. Overgrown vegetation; dead, decayed, diseased or hazardous trees; weeds and other vegetation likely to harbor rats, vermin or nuisances or which may be a fire hazard.
- c. Storage for a period longer than seven (7) days of any of the following:
 1. Abandoned, wrecked, dismantled motor vehicles, trailers, campers, boats or similar vehicles and inoperative motor vehicles.
 2. Debris, rubbish, and trash visible from public rights-of-way.
 3. Broken or discarded household furnishings, appliances, boxes and cartons, lawn maintenance equipment, play equipment, toys and similar materials.
 4. Discarded building materials.
 5. Discarded, wrecked or inoperable household appliances, machines and tools.
 6. Materials or items of any nature stored on roof tops.
 7. Garbage or trash cans or containers stored in front or side yards and visible from public streets or garbage or trash cans or contain-

*Editor's note—Section 5 of Ord. No. 760, adopted Feb. 10, 1987, added art. X, §§ 7-301—7-317, which the editor has redesignated art. XI, §§ 7-401—7-417, since Ord. No. 754 had previously added art. X.